MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

NOVEMBER 20, 2012

CALL TO ORDER
Mayor Lavagnino called the Regular Meeting of the City Council to order at 5:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Cordero, Orach, Patino and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Deputy City Manager Lara, and Chief Deputy City Clerk Garietz.

PUBLIC COMMENT:
There were no requests to speak.

RECESS:
Mayor Lavagnino recessed to a Closed Session at 5:32 p.m. for: 1) Public Employee Performance Evaluations pursuant to Government Code 54957, Agency representative: Mayor, Title: City Manager and City Attorney; and 2) Public Employee Discipline/Dismissal/Release pursuant to Government Code Section 54957.

RECONVENE:
Mayor Lavagnino reconvened the Regular City Council meeting at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Cordero, Orach, Patino and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, City Librarian Housel, Interim Police Chief Martin, Fire Chief Orr, Director of Recreation and Parks Posada, Director of Utilities Sweet, Director of Administrative Services Visé, Director of Public Works/City Engineer Whitehead, Deputy City Manager Barnhard, Deputy City Manager Lara, and Chief Deputy City Clerk Garietz.

CLOSED SESSION REPORT:
City Attorney Trujillo reported on the actions taken in the Closed Session:

Public Employee Performance Evaluations and Conference with Labor Negotiator, City Manager – Performance appraisals were provided to the City Manager and City Attorney.

Discipline/Dismissal/Release pursuant to Subsection (b) of Government Code Section 54957 – There was no reportable action.

INVOCATION:
Pastor Gary Hanson of Grace Lutheran Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Boysen led the Pledge of Allegiance.

1. PROCLAMATIONS/PRESENTATIONS:

A. "NATIONAL AMERICAN INDIAN HERITAGE MONTH"
Councilmember Cordero read a proclamation declaring the month of November 2012 as "National American Indian Heritage Month" in the City of Santa Maria, and encouraging all residents to observe this month with appropriate programs, ceremonies and activities. The proclamation was accepted by Susan Clack with the Daughters of the American Revolution.

B. VOLUNTEER OF THE MONTH
Councilmember Patino presented a gift to Lucas Marsalek for his support and commitment to the athletes with Intellectual disabilities served by the Northern Santa Barbara County Special Olympics.

2. PUBLIC COMMENT
Robert Ziener commented about his desire for the City to display a replica of the ship "Santa Maria" to be displayed on the walking bridge above Broadway.

Ernest Armenta spoke about employee contributions to their retirement benefits, and he suggested that the City provide an incentive regarding retirement benefits to employees who live within the City limits.

Nancy Stewart thanked the Council and City staff for their hard work and contributions. She stated that she had the opportunity to watch the firefighter trainees in one of their final training sessions. She also wished Sister Janet Corcoran a happy birthday.

3. CONSENT CALENDAR
Councilmembers Boysen indicated that he had a conflict and would be abstaining from voting on Item 3D, Payment of Warrants.

Councilmember Patino asked to comment on Item 3D, and Councilmember Boysen asked to comment on Item 3H.

Item 3D – Extending the Voluntary Time Off (VTO)
Councilmember Patino indicated that the public would be interested in this information, and asked City Manager Haydon to provide an overview of the VTO program and the need for it.

City Manager Haydon commented in response to Councilmember Patino's question that the VTO program allows employees to take time off without charging the time off to leave balances. The VTO program was reinstituted back in 2009, and it has continued each year to date. It allows employees to take time off rather than using vacation, sick or leave balances which has saved the City tens of thousands of dollars since it was reinstituted.

Item 3H – Lease Financing Agreement
Councilmember Boysen commented that he was initially opposed to lease financing the equipment, and thought that the financing should be made from other City funds where there was a temporary excess in funds. After speaking with Mr. Visé, he now supports the lease financing option. He asked Director of Administrative Services Visé to explain the need for the lease financing.

Director of Administrative Services Visé gave an overview and indicated that the interest rate to finance the equipment would be set at a fixed rate of 2.58 percent; and while rates are relatively low right now, there was no telling what they will be in 2017.

Consent Calendar Items 3A through 3H (except 3F) were approved on motion by Councilmember Cordero, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3F was approved on motion by Councilmember Cordero, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Boysen

A. ORDINANCES.
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES.
The Minutes of the Regular City Council Meeting of November 6, 2012, were approved as submitted.

C. CONFLICT OF INTEREST CODE AMENDMENTS.
Resolution Nos. 2012-125 was adopted amending Appendix A of the City's Conflict of Interest Code to reflect personnel changes made as a result of the adoption of budget amendments approved November 6, 2012, abolishing the Treasury Manager position and adding the positions of Revenue Technician, Utility Billing Lead Clerk, Provisional Police Supervisor, and Provisional Police Manager.

Resolution No. 2012-125 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

D. VOLUNTARY TIME OFF (VTO) PROGRAM
Resolution No. 2012-126 was adopted extending the designated period of economic hardship through December 27, 2013, and continuing to authorize the City Manager to implement the Voluntary Time Off VTO) Program through 2013.

Resolution No. 2012-126 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING EXTENDING THE DESIGNATED PERIOD OF ECONOMIC HARDSHIP AND VOLUNTARY TIME OFF (VTO) PROGRAM THROUGH CALENDAR YEAR 2013.

E. SALARY CONCESSIONS FOR PLANNING COMMISSIONERS, RECREATION & PARKS COMMISSIONERS, AND ELECTED OFFICIALS FOR THE 2013 CALENDAR YEAR.
Resolution Nos. 2012-131 and 2012-132 were adopted extending the opportunity to elected officials to voluntarily concede five percent salary reductions during the 2013 calendar year; and extending salary concessions for Planning Commissioners and Recreation & Parks commissioners for the 2013 calendar year.

Resolution No. 2012-131 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONTINUING COUNCIL'S VOLUNTARY FIVE PERCENT COMPENSATION REDUCTION FOR ELECTED OFFICIALS.

Resolution No. 2012-132 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, SETTING THE COMPENSATION FOR PLANNING COMMISSIONERS AND RECREATION & PARKS COMMISSIONERS.

F. WARRANTS.
Warrant Nos. 176010 to 176275 totaling $8,202,198.51 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 171729, 175682, 175735, and 175834 were cancelled.

G. PAYROLL.
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

H. BID FOR LEASE FINANCING
Resolution No. 2012-127 was adopted authorizing the City Manager or the Director of Administrative Services to issue a bid for lease financing, award the bid, and enter into a lease financing agreement to finance equipment with a multi-year lease purchase.

Resolution No. 2012-127 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF ADMINISTRATIVE SERVICES TO ISSUE A BID FOR LEASE FINANCING, AWARD THE BID, AND ENTER INTO A LEASE FINANCING AGREEMENT TO FINANCE EQUIPMENT WITH A MULTI-YEAR LEASE PURCHASE.

I. NOTICE OF CONTRACT COMPLETION
The City Council approved a Notice of Contract Completion for Veterans' Memorial Community Center, Bid No. 2011/07, and directed the Chief Deputy City Clerk to record the same.

J. NO STOPPING ZONE
Resolution No. 2012-128 was adopted establishing a no-stopping zone in the 100 block of South Nicholson Avenue along the eastern right-of-way beginning at the right-of-way with East Main Street and extending three hundred fifteen (315) feet south to meet the existing no-stopping zone.

Resolution No. 2012-128 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APDOPTING A NO-STOPPING ZONE IN THE 100 BLOCK OF SOUTH NICHOLSON AVENUE PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

K. NO STOPPING ZONE
Resolution No. 2012-129 was adopted establishing a no-stopping zone at 1326 Jason Way along the southern right-of-way beginning four hundred sixty (460) feet east of the southeastern curb return of Westgate Road extending ten (10) feet east.

Resolution No. 2012-129 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING A NO-STOPPING ZONE AT 1326 JASON WAY PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

L. NO STOPPING ZONE

Resolution No. 2012-130 was adopted establishing no-stopping zones on Williams Street along the southern right-of-way beginning at the extension of the western right-of-way of Gunderson Lane and extending 20 feet to the west, and on Williams Street along the southern right-of-way beginning at the extension of the eastern right-of-way of Gunderson Lane and extending 20 feet to the east.

Resolution No. 2012-130 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING NO-STOPPING ZONES ON WILLIAMS STREET AT THE INTERSECTION OF GUNDERSON LAND PURSUANT TO SECTION 7-5.16 OF THE SANTA MARIA MUNICIPAL CODE.

CITY MANAGER'S REPORT

City Manager Haydon reported on items anticipated for the December 4, 2012, including Consent Agenda items regarding green waste operations management, a Breeze Transportation MOU, a Notice of Completion for the Landfill Concrete Drainage Swale, and a Regular Business item regarding the Business Hazardous Waste Disposal program. He also announced that there would another Closed Session scheduled for the next Council meeting to begin at 6:00 p.m.

ORAL REPORTS BY COUNCILMEMBERS

Councilmember Cordero reported that he attended the CAC appreciation dinner, an auction for the North County Rape Crisis and Child Protection Center, the Celebration of Life at the Vet's Memorial Building, the BevMo! Grand Opening, and the KCOY Turkey Drive event.

Councilmember Orach reported that he worked the majority of the time since the last meeting and attended the Celebration of Life and the BevMo! Grand Opening.

Mayor Lavagnino reported that he attended the North County Subregional Committee meeting, the 99 cents Store Grand Opening, spoke at the Chamber of Commerce Transportation Committee meeting, attended a Recreation and Parks Commission meeting, the Celebration of Life event at the Vet's Building, attended his last SBCAG meeting in Buellton, the BevMo! Grand Opening event, and served meals at the Central Coast Rescue Mission dinner at the Vet's Building.

Councilmember Patino reported that she attended the 237th Marine Corp Anniversary Ball, the Santa Maria Valley Pioneer dinner, the Transportation Committee meeting at the Chamber of Commerce, the follow-up action plan meeting of the Town Hall Meeting, the Celebration of Life event, the Northern Santa Barbara County Economic Development meeting, the Grand Opening event at BevMo!, and served at the Central Coast Rescue Mission dinner. She asked about the Rescue Mission having to pay to use the Vet's Building for their event.

City Manager Haydon responded that the rate had been significantly reduced from $890 to $275.

Councilmember Patino indicated that she had been asked about how and when the City Council would fill her vacant Council seat once she was sworn in as Mayor.

City Manager Haydon responded that the agenda report was scheduled for December 18, 2012. The report would provide direction to staff on the options the City Council could take to 1) return with a resolution regarding a special election, 2) accept applications for an appointment, 3) appoint to fill the vacancy on December 18 with possibly the third highest vote-getter, or 4) to continue the matter to a later meeting. He indicated that if the Council were to consider a special election, the options would be for a mail ballot or polling place election. If the choice were to hold a mail ballot special election, direction would be necessary before December 18. The resolution calling the special mail ballot election would need to be adopted on December 18 to meet the required deadlines.

Mayor Lavagnino commented that it would not be feasible to hold a mail ballot election because of the time constraints with making that decision on December 18.

Mr. Haydon indicated that it could be feasible if the item was agendized for the meeting of December 4, 2012, to discuss the matter and provide direction to bring the item back on December 18.

Mayor Lavagnino asked if the report would include the alternatives that would be available to the Council.

City Manager Haydon indicated that it was intent to present a report on December 18.

Mayor Lavagnino indicated that on December 18, two members of the Council would only be present a short time before the installation of newly elected officers took place. It would leave only three Councilmembers to make the decision. He suggested that a proposal should be presented at the meeting of December 4.

City Manager Haydon indicated that the information received from the County was provided last minute, and it indicated that for a mail ballot special election, the Council would have to take action to call a special election no later than December 18. If a mail ballot election were to be considered, then an item should be agendized to discuss the whole procedure on December 4. City Manager Haydon stated that the agenda item was ready for December 18th; however, if the Council waited until December 18, the Council would lose the option of the mail ballot election.

Mayor Lavagnino stated that it made sense to look at all the alternatives that the Council had on December 4, and for the Council to take action as to what those options were.

City Attorney Trujillo stated that the matter had not been agendized for discussion tonight. The Council could not engage in deliberation of the matter, other than to have a short discussion and provide direction to staff. He also stated that the decision on how the appointment was to be made would be made by the newly-seated City Council on December 18.

Mayor Lavagnino suggested that the future City Council should review policies on filling Council vacancies in the future.

Ernest Armenta stated from the audience that discussion on this item should take place when it has been agendized so the public could have the opportunity to participate.

City Manager Haydon asked if there was direction from the Council to bring an item back on December 4 for discussion of the options.

Councilmember Cordero asked how the Council could provide direction on a matter that was the responsibility of the incoming City Council.

There was a general consensus of the Council to receive a report on December 4 to discuss the options the newly seated Council would have in filling the vacancy.

City Attorney Trujillo clarified that no action would be taken on December 4. The item would be for information only.

Councilmember Boysen thanked the community for their support with the recent KCOY Turkey Drive of which Good Samaritan was a direct recipient of their generosity. The donated turkeys and funding were distributed to Good Samaritan's partner agencies. 500 turkeys were received and $1,300 in cash was donated. He indicated that he had a constituent inquiry regarding the City's alarm permitting system and why the City used a firm in Irving, Texas.

Director of Administrative Services Visé responded that the monitoring of alarm permit program was administered by a third party called PMAM. The company specialized in this field and used specialty software to monitor the program. It was not effective to administer the program in-house and have one person monitoring 2,200 alarm systems in the City. The alarm permit revenue increased from $20,000 in 2007-08 to $40,000 today using a third party. PMAM generated 35 percent of the receipts, and the City received 65 percent. 4,400 alarm calls were received in 2008, and 98 percent of them were false alarms which diverted police attention away from constructive crime fighting to handling false alarms.

Councilmember Boysen further commented that he thought Mr. Armenta's suggestion about offering incentives toward benefits for employees who lived in the City was a good one, and it should be looked into.

Mayor Lavagnino congratulated Joe and Jean Olivera on their 70th Wedding Anniversary.

Councilmember Cordero reminded the public about the magical Christmas Tree event sponsored by the Altrusa Club.

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ADJOURNMENT

There being no further business to come before the City Council at this time, Mayor Lavagnino declared the meeting adjourned at 7:17 p.m.

APPROVED

December 4, 2012
Date

Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Mayor of the City of Santa Maria

ATTEST

Chief Deputy City Clerk